

DIANA S. EBRON, ESQ.
Nevada Bar No. 10580
E-mail: diana@kgelegal.com
KIM GILBERT EBRON
7625 Dean Martin Drive, Suite 110
Las Vegas, Nevada 89139
Telephone: (702) 485-3300
Facsimile: (702) 485-3301
Attorneys for SFR Investments Pool 1, LLC

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BANK OF AMERICA, N.A., successor by
merger to BAC HOME LOANS SERVICING,
LP fka COUNTRYWIDE HOME LOANS
SERVICING, LP and FEDERAL NATIONAL
MORTGAGE ASSOCIATION,

Plaintiffs,

vs.

SANTA BARBARA HOMEOWNERS
ASSOCIATION; SFR INVESTMENTS POOL
1, LLC; ABSOLUTE COLLECTION
SERVICES, LLC,

Defendants.

AND RELATED CLAIMS

Case No. 2:16-cv-02768-MMD-CWH

**STIPULATION AND ORDER TO EXTEND
TIME FOR:**

**(1) SFR INVESTMENTS POOL 1, LLC TO
RESPOND TO PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT [ECF NO.
84]**

**(2) SFR INVESTMENTS POOL 1, LLC TO
FILE A REPLY SUPPORTING ITS
MOTION FOR SUMMARY JUDGMENT
[ECF NO. 121];**

**(3) PLAINTIFFS TO FILE A REPLY
SUPPORTING THEIR MOTION FOR
SUMMARY JUDGMENT [ECF NO. 84];
AND**

**(4) ABSOLUTE COLLECTION SERVICES,
LLC TO FILE A REPLY SUPPORTING ITS
JOINDER TO SANTA BARBARA
HOMEOWNERS ASSOCIATION'S
MOTION FOR SUMMARY JUDGMENT
[ECF NO. 120]**

(Second Request)

Pursuant to LR IA 6-1, LR IA 6-2, and LR 7-1, Plaintiffs / Counter-Defendants, BANK OF AMERICA, N.A. ("**BANA**") and FEDERAL NATIONAL MORTGAGE ASSOCIATION'S ("**Fannie Mae**"), Defendant / Counterclaimant / Cross-Claimant, SFR INVESTMENTS POOL 1, LLC ("**SFR**"), Defendant Absolute Collection Services, LLC ("**Absolute**") and Defendant SANTA BARBARA HOMEOWNERS ASSOCIATION ("**Association**") (collectively, the "**Parties**"), by and through their respective undersigned counsel of record, hereby stipulate and agree to coordinate briefing deadlines and extend the deadlines as set forth herein:

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1 1. On August 31, 2018, Fannie Mae and BANA filed their motion for summary
2 judgment. ECF No. 84.

3 2. On September 4, 2018, SFR filed counter motions to strike and for FRCP Rule 56(d)
4 relief in response to Fannie Mae and BANA's motion for summary judgment. ECF Nos. 85, 86.

5 3. On September 7, 2018, Fannie Mae filed a motion to stay discovery or in
6 the alternative emergency motion to quash the notice of deposition and/or for a protective order to
7 limit SFR's 30(b)(6) deposition topics. ECF No. 87.

8 4. On September 12, 2018, Santa Barbara filed its opposition to Fannie Mae
9 and BANA's motion for summary judgment. ECF No. 92.

10 5. On September 18, 2018, the Court entered a Stipulation and Order which extended
11 the deadline for Fannie Mae and BANA to respond to SFR's counter motions to October 12, 2018,
12 and **which directed the Parties to submit a briefing schedule within 5 days after ECF No. 87**
13 **is decided with respect to: (a) SFR's deadline to respond to Fannie Mae and BANA's motion**
14 **for summary judgment; and (b) Fannie Mae and BANA's deadline to file a reply supporting**
15 **their motion for summary judgment.** ECF No. 94.

16 6. On December 18, 2018, Santa Barbara filed its motion for summary judgment. ECF
17 No. 119.

18 7. On December 21, 2018, Absolute filed its joinder to Santa Barbara's motion for
19 summary judgment. ECF No. 120.

20 8. On December 21, 2018, SFR filed its motion for summary judgment. ECF No. 121.

21 9. On February 8, 2019, the Association filed its reply in support of its motion for
22 summary judgment. ECF No. 127.

23 10. In order to harmonize the remaining summary judgment briefing with the schedule
24 established in the September 18, 2018 Stipulation and Order, the Court entered a Stipulation and
25 Order on February 11, 2019, directing that SFR's reply in support of its motion for summary
26 judgment [ECF No. 121], and Absolute's reply in support of its joinder to Santa Barbara's motion
27 for summary judgment [ECF No. 120], will be due the same time as Fannie Mae's and BANA's
28 reply supporting their motion for summary judgment, once that date is established in accordance

1 with the September 18, 2018 Stipulation and Order. ECF No. 129.

2 11. On June 4, 2019, the Court entered an Order which: DENIED SFR's motion to
3 strike [ECF No. 85]; DENIED SFR's motion for FRCP 56(d) relief [ECF No. 86]; GRANTED
4 Fannie Mae's and BANA's joinder to stay discovery [ECF Nos. 87, 89]; DENIED Fannie Mae's
5 motion to quash [ECF No. 88]; DENIED BANA's motion for protective order [ECF No. 90]; and
6 DENIED SFR's motion to stay [ECF No. 101]. ECF No. 130.

7 12. The June 4, 2019 Order also directed that per the February 11, 2019 Stipulation and
8 Order [ECF No. 129], the Parties "must file the replies supporting their respective motions for
9 summary judgment (ECF Nos. 84, 119, 121) within 5 days of when this order is entered." ECF
10 No. 130 at 6:1-3.

11 13. **The instant stipulation is necessary because of the apparent conflict between**
12 **the September 18, 2018 Stipulation and Order [ECF No. 94], and the June 4, 2019 Order**
13 **[ECF No. 130].** The September 18, 2018 Stipulation and Order directed that SFR's deadline to
14 respond to Fannie Mae and BANA's motion for summary judgment, and Fannie Mae and BANA's
15 deadline to file a reply supporting their motion for summary judgment, were to be set via a briefing
16 schedule to be submitted within 5 days after the motion to stay discovery [ECF No. 87] was
17 decided. ECF No. 94, ¶ 7. However, while the June 4, 2019 Order resolves the motion to stay
18 discovery, it does not address the deadline for SFR to file its as-yet-unfiled response to Fannie
19 Mae and BANA's motion for summary judgment, which also means that Fannie Mae and BANA
20 cannot file a reply. This likewise affects the deadline for Absolute to file its reply in support of its
21 joinder to Santa Barbara's motion for summary judgment [ECF No. 120], which the February 11,
22 2019 Stipulation and Order states is due the same time as Fannie Mae's and BANA's reply
23 supporting their motion for summary judgment. ECF No. 129, ¶ 10.

24 14. In order to resolve these discrepancies, the Parties agree that: (1) SFR shall file its
25 response to Fannie Mae and BANA's motion for summary judgment [ECF No. 84] by **July 3,**
26 **2019;** (2) Fannie Mae, BANA, and SFR shall file their replies supporting their respective motions
27 for summary judgment [ECF Nos. 84, 121] by **July 31, 2019;** and (3) Absolute shall file its reply
28 in support of its joinder to Santa Barbara's motion for summary judgment [ECF No. 120] by **July**

31, 2019.

15. This is the second request for an enlargement of time of the subject deadlines. The Parties stipulate to the foregoing in good faith and not for purposes of delay.

<p>Dated this <u>10th</u> day of June, 2019.</p> <p>KIM GILBERT EBRON</p> <p><u>/s/ Diana S. Ebron</u> DIANA S. EBRON, ESQ. Nevada Bar No. 10580 JACQUELINE A. GILBERT, ESQ. Nevada Bar No. 10593 7625 Dean Martin Dr., Suite 110 Las Vegas, Nevada 89139 Attorneys for SFR Investments Pool 1, LLC</p>	<p>Dated this <u>10th</u> day of June, 2019.</p> <p>AKERMAN, LLP</p> <p><u>/s/ Tenesa S. Powell</u> DARREN T. BRENNER, ESQ. Nevada Bar No. 8386 TENESA S. POWELL, ESQ. Nevada Bar No. 12488 1635 Village Center Circle, Suite 200 Las Vegas, NV 89134 Attorneys for Plaintiff Bank of America, N.A., and Federal National Mortgage Association</p>
<p>Dated this <u>10th</u> day of June, 2019.</p> <p>BOYACK ORME & ANTHONY</p> <p><u>/s/ Colli C. McKiever</u> EDWARD D. BOYACK, ESQ. Nevada Bar No. 5229 COLLI C. MCKIEVER, ESQ. Nevada Bar No. 13724 7432 W Sahara Ave., Ste. 101 Las Vegas, NV 89117 Attorneys for Defendant Santa Barbara Homeowners Association</p>	<p>Dated this <u>10th</u> day of June, 2019.</p> <p>ABSOLUTE COLLECTION SERVICES, LLC</p> <p><u>/s/ Shane D. Cox</u> SHANE D. COX, ESQ. Nevada Bar No. 13852 8440 W Lake Mead Blvd., Ste. 210 Las Vegas, NV 89128 Attorney for Absolute Collection Services, LLC</p>

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

DATED: June 10, 2019